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FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4334
INFO RUCNIAD/IGAD COLLECTIVE
RUEHDS/AMEMBASSY ADDIS ABABA 9824
RUEHDR/AMEMBASSY DAR ES SALAAM 5721
RUEHDJ/AMEMBASSY DJIBOUTI 5042
RUEHKM/AMEMBASSY KAMPALA 2556
RUEHKH/AMEMBASSY KHARTOUM 1828
RUEHLO/AMEMBASSY LONDON 2589
RUEHFR/AMEMBASSY PARIS 2515
RHEHNSC/NSC WASHDC
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C O N F I D E N T I A L SECTION 01 OF 02 NAIROBI 000234

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TAGS: [PREL](#) [PGOV](#) [KDEM](#) [KE](#)
SUBJECT: ELECTION CRISIS -- ANTI-U.S. GOVERNMENT
ADVERTISEMENTS AND OUR RESPONSE

Classified By: Ambassador Ranneberger, reasons 1.4 (b,d)

¶1. (U) Throughout last week, the government's office of public communications placed prominent advertisements in the print and broadcast media accusing the U.S. and others of contributing to violence. The advertisements varied in text, but evoked similar themes. All were entitled "Setting the Record Straight." One of them read:

"For the last two days, we have asked you to provide evidence that the vote was irregular. From your silence, it is clear there is none. It is now obvious that you had no evidence to back the claims. It was a partisan, emotional and personalized campaign against President Kibaki and the will of the People of Kenya. Did you get embroiled in propaganda to satisfy ethnic cleansing? Making the loudest noise and repeating the same lies does not make you right. The people of Kenya want peace and justice. Your allegations have fuelled tension and even death, and yet you have failed to provide legitimate and legal form with signatures that can stand up for scrutiny before any court of justice in the world."

¶2. (U) In response, the Ambassador published the following op-ed on January 22. Begin text.
I noted with concern the print and broadcast advertisements placed by the Office for Public Communications in recent days which accused the United States and others of contributing to violence. Knowing and respecting the President as a man of honor, I am certain that these advertisements were placed without his approval.

My first thought was that these scurrilous propaganda advertisements should not be dignified with a response. Upon further reflection, however, I believe the record should indeed be set straight in the interest of ensuring that the Kenyan people know the truth.

First, I want to state categorically that there is compelling evidence of serious irregularities in the vote tallying process from a wide variety of non-partisan sources. We have made clear to the officials of the PNU and the ODM that there is ample evidence of vote tallying irregularities at the constituency level in their respective strongholds by both sides and, at the national level, in ECK's KICC office. A vital national institution, the Electoral Commission of Kenya, collapsed under the pressure of the "win at any cost"

attitude of both major parties.

Second, it is irresponsible to say, as the advertisement does, that speaking the truth provides incitement to ethnic violence. From the outset of the current crisis, I have repeatedly emphasized my government's support for the rule of law. I have stated many times that there can be no excuse for violence. At the same time, the rule of law must ensure the right of peaceful assembly and protection of human rights. Allowing peaceful protest, removing restrictions on the freedom of the media, supporting a search for truth and justice, and achieving a viable political solution are the best ways to ensure peace.

The United States has consistently stated our view that the current crisis can only be resolved through a political settlement. In the meantime, we will continue to add our voice to those of Kenyans across the ethnic and political spectrum calling for responsible behavior by all parties in the interest of the entire nation. Both sides bear a certain amount of responsibility for the tensions and violence now wracking Kenya.

The tragedy Kenya is now suffering, and the extremely bitter polarization of Kenyan society, demands that all leaders and institutions speak in a responsible, respectful and dignified tone.

In that regard, I note that both President Kibaki and Raila Odinga have made clear their willingness to talk directly. The advertisements which were placed by the Office of Public Communications contribute to polarization and reflect hardline positions, instead of conveying the positive message clearly enunciated in the statement which President Kibaki

NAIROBI 00000234 002 OF 002

issued on January 8. The President stated, in part: "I remain committed to dialogue with all parties in order to achieve a political solution to the serious problems facing our nation. When my government is fully constituted as a result of dialogue, it will be broad-based and represent the will of the people of Kenya. It is envisioned that this government will be established as a result of constructive and inclusive dialogue." Raila Odinga has said that he is ready to sit down with President Kibaki without pre-conditions.

The visit this week of Kofi Annan and the eminent persons groups provides an important opportunity to facilitate this dialogue. Now is the time for all responsible Kenyans, and friends of Kenya, to issue statements that will contribute to a solution of the current crisis, instead of exacerbating the problem. End text.

13. (U) We have also made clear to senior media figures that these advertisements run counter to the media's efforts to encourage peace and dialogue.

14. (C) The Ambassador raised the issue with Foreign Minister Wetangula, but positive government action remains to be seen.

On January 18 the Ambassador met with Minister of Information Poghiso to review the state of play on the elections crisis. (Note: Poghiso knows and is very friendly towards the U.S. He is a member of Vice President Musyoka's party. End Note.) Poghiso lamented what he described as the government's complete lack of any public diplomacy gameplan.

The absence of any coherent approach, he explained, leads to the negative government advertisements placed in the media. Poghiso said he is working to turn this around, but did not seem optimistic about accomplishing this in the short-term, given the influence of anti-dialogue hardliners around the President.

RANNEBERGER